THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.25830 OF 2006

Date: 22-12-2006

Between:
T.Mallanna, s/o late Sidhappa,
Hindu, aged 40 years,
R/o 4-5-63/2, Ramamandir Street,
Sadhasivapet, Medak District.

... Petitioner.

And

The Municipal Commissioner,
Sadhasivapet Municipality,
Sadhasivapet, Medak District.

... Respondent.

* * *

ORDER:

Heard Sri Akella Padma, learned counsel representing the petitioner and Sri Polisetty Radhakrishna, learned Standing Counsel representing the respondent.

2. On 13.12.2006 Sri Polisetty Radhakrishna had taken notice and requested time to get instructions and the matter was directed to appear in the list on 20.12.2006. Again at request the matter is coming up today for admission.

3. It is brought to the notice of this Court that this Court disposed of similar writ petition in W.P.No.24854 of 2006 on 04th

December 2006 and a request is made that the present writ petition also be disposed of on the same lines.

4. The writ petition is filed for a writ of Mandamus declaring action of the respondent in not passing any order on the petitioner's application dated 12.7.2005 for granting permission for construction of a house though betterment charges were collected from the petitioner for building No.2-7-13 (old) and 2-7-14 (new) vide H.No.4-5-63/2, Sadhasivapeta, Medak District, even after a lapse of more than year, as illegal and arbitrary and pass such other suitable orders.

5. Several factual details are narrated in paragraphs 2 to 4 of the affidavit filed in support of the writ petition. In the light of the facts and circumstances, this Court is of the considered opinion that the writ petition be disposed of directing the respondent to consider the application of the petitioner dated 12.7.2005 for grant of permission for construction of house in relation to the subject matter of the writ petition in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No order as to costs.

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P.S.NARAYANA, J.

Date: 22nd December 2006.

BSB